

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Unified Code of Corrections is amended by changing Section 3-7-2 as follows:

(730 ILCS 5/3-7-2) (from Ch. 38, par. 1003-7-2)

Sec. 3-7-2. Facilities.

(a) All institutions and facilities of the Department shall provide every committed person with access to toilet facilities, barber facilities, bathing facilities at least once each week, a library of legal materials and published materials including newspapers and magazines approved by the Director. A committed person may not receive any materials that the Director deems pornographic.

(b) (Blank).

(c) All institutions and facilities of the Department shall provide facilities for every committed person to leave his cell for at least one hour each day unless the chief administrative officer determines that it would be harmful or dangerous to the security or safety of the institution or facility.

(d) All institutions and facilities of the Department shall provide every committed person with a wholesome and

nutritional diet at regularly scheduled hours, drinking water, clothing adequate for the season, bedding, soap and towels and medical and dental care.

(e) All institutions and facilities of the Department shall permit every committed person to send and receive an unlimited number of uncensored letters, provided, however, that the Director may order that mail be inspected and read for reasons of the security, safety or morale of the institution or facility.

(f) All of the institutions and facilities of the Department shall permit every committed person to receive in-person visitors and video contact, if available, except in case of abuse of the visiting privilege or when the chief administrative officer determines that such visiting would be harmful or dangerous to the security, safety or morale of the institution or facility. Each committed person is entitled to 7 visits per month. Every committed person may submit a list of at least 30 persons to the Department that are authorized to visit the committed person. The list shall be kept in an electronic format by the Department beginning on August 1, 2019, as well as available in paper form for Department employees. The chief administrative officer shall have the right to restrict visitation to non-contact visits, video, or other forms of non-contact visits for reasons of safety, security, and order, including, but not limited to, restricting contact visits for committed persons engaged in

gang activity. No committed person in a super maximum security facility or on disciplinary segregation is allowed contact visits. Any committed person found in possession of illegal drugs or who fails a drug test shall not be permitted contact visits for a period of at least 6 months. Any committed person involved in gang activities or found guilty of assault committed against a Department employee shall not be permitted contact visits for a period of at least 6 months. The Department shall offer every visitor appropriate written information concerning HIV and AIDS, including information concerning how to contact the Illinois Department of Public Health for counseling information. The Department shall develop the written materials in consultation with the Department of Public Health. The Department shall ensure that all such information and materials are culturally sensitive and reflect cultural diversity as appropriate. Implementation of the changes made to this Section by Public Act 94-629 is subject to appropriation. The Department shall seek the lowest possible cost to provide video calling and shall charge to the extent of recovering any demonstrated costs of providing video calling. The Department shall not make a commission or profit from video calling services. Nothing in this Section shall be construed to permit video calling instead of in-person visitation.

(f-5) (Blank).

(f-10) The Department may not restrict or limit in-person

visits to committed persons due to the availability of interactive video conferences.

(f-15)(1) The Department shall issue a standard written policy for each institution and facility of the Department that provides for:

(A) the number of in-person visits each committed person is entitled to per week and per month including the requirements of subsection (f) of this Section;

(B) the hours of in-person visits;

(C) the type of identification required for visitors at least 18 years of age; and

(D) the type of identification, if any, required for visitors under 18 years of age.

(2) This policy shall be posted on the Department website and at each facility.

(3) The Department shall post on its website daily any restrictions or denials of visitation for that day and the succeeding 5 calendar days, including those based on a lockdown of the facility, to inform family members and other visitors.

(g) All institutions and facilities of the Department shall permit religious ministrations and sacraments to be available to every committed person, but attendance at religious services shall not be required.

(h) Within 90 days after December 31, 1996, the Department shall prohibit the use of curtains, cell-coverings, or any

other matter or object that obstructs or otherwise impairs the line of vision into a committed person's cell.

(i) A point of contact person appointed under subsection (u-6) of Section 3-2-2 of this Code shall promptly and efficiently review suggestions, complaints, and other requests made by visitors to institutions and facilities of the Department and by other members of the public. Based on the nature of the submission, the point of contact person shall communicate with the appropriate division of the Department, disseminate the concern or complaint, and act as liaison between the parties to reach a resolution.

(1) The point of contact person shall maintain information about the subject matter of each correspondence, including, but not limited to, information about the following subjects:

(A) the parties making the submission;

(B) any commissary-related concerns;

(C) any concerns about the institution or facility's COVID protocols and mitigations;

(D) any concerns about mail, video, or electronic messages or other communications with incarcerated persons;

(E) any concerns about the institution or facility;

(F) any discipline-related concerns;

(G) any concerns about earned sentencing credits;

(H) any concerns about educational opportunities for incarcerated persons;

(I) any concerns about health-related matters;

(J) any mental health concerns;

(K) any concerns about personal property;

(L) any concerns about the records of the incarcerated person;

(M) any concerns about recreational opportunities for incarcerated persons;

(N) any staffing-related concerns;

(O) any concerns about the transfer of individuals in custody;

(P) any concerns about visitation; and

(Q) any concerns about work opportunities for incarcerated persons.

The information shall be maintained in accordance with standards set by the Department of Corrections, and shall be made available to the Department's Planning and Research Division. The point of contact person shall provide a summary of the results of the review, including any resolution or recommendations made as a result of correspondence with the Planning and Research Division of the Department.

(2) The Department shall provide an annual written report to the General Assembly and the Governor, with the first report due no later than January 1, 2023, and

publish the report on its website within 48 hours after the report is transmitted to the Governor and the General Assembly. The report shall include a summary of activities undertaken and completed as a result of submissions to the point of contact person. The Department of Corrections shall collect and report the following aggregated and disaggregated data for each institution and facility and describe:

(A) the work of the point of contact person;

(B) the general nature of suggestions, complaints, and other requests submitted to the point of contact person;

(C) the volume of emails, calls, letters, and other correspondence received by the point of contact person;

(D) the resolutions reached or recommendations made as a result of the point of contact person's review;

(E) whether, if an investigation is recommended, a report of the complaint was forwarded to the Chief Inspector of the Department or other Department employee, and the resolution of the complaint, and if the investigation has not concluded, a detailed status report on the complaint; and

(F) any recommendations that the point of contact person has relating to systemic issues in the

Department of Corrections, and any other matters for consideration by the General Assembly and the Governor.

The name, address, or other personally identifiable information of a person who files a complaint, suggestion, or other request with the point of contact person, and confidential records shall be redacted from the annual report and are not subject to disclosure under the Freedom of Information Act. The Department shall disclose the records only if required by a court order on a showing of good cause.

(3) The Department must post in a conspicuous place in the waiting area of every facility or institution a sign that contains in bold, black type the following:

(A) a short statement notifying visitors of the point of contact person and that person's duty to receive suggestions, complaints, or other requests; and

(B) information on how to submit suggestions, complaints, or other requests to the point of contact person.

(Source: P.A. 99-933, eff. 1-27-17; 100-30, eff. 1-1-18; 100-142, eff. 1-1-18; 100-677, eff. 1-1-19; 100-863, eff. 8-14-18.)

Section 99. Effective date. This Act takes effect upon becoming law.